

5/27/08
JAN 23 2008

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT BETHEL

MARCELLA JONES, a minor, by her mother
and next friend Helena Beebe,

Plaintiff,

v.

CITY OF QUINHAGAK; and DERRICK
JOHNSON,

Defendants.

RECEIVED

MAY 28 2008

2008 MAY 14 P 4

CLERK, JUDICIAL COURTS

Case No. 4BE-08-149 CI

COMPLAINT FOR DAMAGES

COMES NOW Plaintiff Marcella Jones, by her undersigned counsel, and for her
complaint for damages against Defendants alleges as follows:

Parties

1. Minor Plaintiff Marcella Jones (DOB 3/27/91) is, and at all material
times was, a resident of Quinhagak, Alaska. She is represented here by her mother and
next friend, Helena Beebe, who also is also a resident of Quinhagak, Alaska
2. Defendant City of Quinhagak is, and at all material times was, a
second-class city incorporated in the State of Alaska.
3. Defendant Derrick Johnson was at all material times a law enforcement
officer in Quinhagak, Alaska.

COMPLAINT FOR DAMAGES

Jones v. City of Quinhagak, et al., 4BE-08-_____ CI

FILE COPY

Angstman Law Office
ATTORNEYS AT LAW
PO BOX 760
BETHEL, ALASKA
99560
(907) 543-2872

Facts

4. On or about August 3, 2006, Jones was injured in Quinhagak, Alaska, while riding on the back of a four-wheeler driven by Johnson.

5. Johnson had ordered Jones to ride on the back of the four-wheeler. Johnson lost control of the four-wheeler, and Jones was thrown off.

6. Jones suffered serious and permanent physical injuries as a result of the fall.

Claims Against Johnson**I. Negligence**

7. Jones incorporates by reference all preceding allegations.

8. Johnson had a duty to Jones to exercise due care and to protect her from reasonably foreseeable dangerous conditions. Johnson breached that duty.

9. As a proximate result of that breach, Jones has been damaged in an amount to be proven at trial.

Claims Against City of Quinhagak**I. Vicarious Liability**

10. Jones incorporates by reference all preceding allegations.

11. At all material times, Johnson was an employee or agent of the City of Quinhagak acting within the scope of his employment or agency. Additionally, at all material times Johnson was performing a non-delegable duty on behalf of the City of Quinhagak. The City of Quinhagak is vicariously liable for Jones's injuries and damages.

Angelman Law Office
ATTORNEYS AT LAW
PO BOX 780
BETHEL, ALASKA
99589
(907) 543-2972

COMPLAINT FOR DAMAGES

Jones v. City of Quinhagak, et al., 4BE-08-_____ CI

II. Negligent Hiring, Supervision and Training

12. Jones incorporates by reference all preceding allegations.

13. The City of Quinhagak breached its duty to Jones to protect her safety by failing to properly hire, train, and supervise Johnson and its other employees and agents, or those working for or on its behalf.

14. Jones's injuries were proximately caused by this breach.

III. Negligent Entrustment

15. Jones incorporates by reference all preceding allegations.

16. The City of Quinhagak breached its duty to Jones to protect her safety by negligently entrusting the four-wheeler, owned by it, to Johnson.

17. Jones's injuries were proximately caused by this breach.

WHEREFORE, Jones prays for the following relief:

1. For an award of damages against Defendants in an amount in excess of \$100,000, the precise amount to be proven at trial:
2. For an award of prejudgment interest against Defendants.

Angstman Law Office
ATTORNEYS AT LAW
PO BOX 788
BETHEL, ALASKA
99559
(907) 543-2872

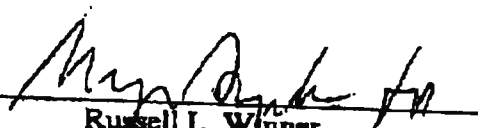
COMPLAINT FOR DAMAGES
Jones v. City of Quinhagak, et al., 4BE-08-_____ CI

3. For an award of her costs and attorneys' fees against Defendants in having to bring this action.

4. For such other relief as appears just to the Court.


WINNER & ASSOCIATES, P.C.
Attorney for Plaintiff

Dated: May 13, 2008

By: 
Russell L. Winner
ABA No. 7811149

ANGSTMAN LAW OFFICE
Attorney for Plaintiff

Dated: May 13, 2008

By: 
Myron Angstman
ABA No. 7410057

Angstman Law Office
ATTORNEYS AT LAW
PO BOX 730
BETHEL, ALASKA
99559
(907) 543-7872

COMPLAINT FOR DAMAGES
Jones v. City of Quinhagak, et al., 4BE-08-_____ CI